

# **EXHIBIT “F”**

## **AFFIDAVIT OF MAJOR ROBERT BROWNING**

**IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION**

SARAH DOZIER, as Administrator of  
the Estate of KATHRYN JOHNSTON,

Plaintiff,

v.

CITY OF ATLANTA, et al.,

Defendants.

)  
)  
)  
)  
)  
)  
)  
)  
)  
)  
)

**CIVIL ACTION CASE NO.  
1:08-CV-00007-MHS**

**AFFIDAVIT OF MAJOR ROBERT BROWNING**

Now before me, the undersigned officer duly sworn to administer oaths, appeared affiant **MAJOR ROBERT BROWNING**, who, after being sworn and placed under oath, gave the following testimony based upon his personal knowledge and information.

1.

My name is Robert Browning. I am over the age of eighteen, suffer from no mental or legal disabilities and freely give the following testimony based upon my own knowledge and personal observations.

2.

I began my career with the Atlanta Police Department (APD) in December, 1983. I currently serve as a Major in Police Operations.

3.

Much of my career in APD has been in the Narcotics Enforcement Unit. From December 1988 to December of 1991, I was an Investigator in Narcotics. From 1991 to 1993, I was detailed to the FBI's Drug Task Force. From June 1993 to June 1995, I was assigned to the REDDOG unit [REDDOG stands for Run Every Drug Dealer Out of Georgia]. From June 1995 to June 1997, I was a Sergeant in the Narcotics unit before I went to the SWAT unit. From August 2003 to January 2006, I served as Commander of the Narcotics Enforcement Unit. At that time, the Special Enforcement Section consisted of the following sections: Narcotics (3 teams), Vice, Weed and Seed (a federal program targeting drug hot spots), Financial Investigations, Project Safe Neighborhood. The Narcotics Enforcement Unit was under the Special Enforcement Section. From 2001 through August 2003, there were approximately 55-60 total officers in all four sections of the Narcotics Enforcement Unit, of that number 20 were in the Narcotics section.

4.

During my tenure as commander of the Narcotics Enforcement Unit, my philosophy of drug enforcement focused on "quality, not quantity." I did not require the officers under my command to make any specific number of arrests per month/week or to obtain a specific amount of search warrants per month/week to remain in the Narcotics Unit.

5.

At my first staff meeting on September 3, 2003, I was shown a memorandum dated August 5, 2003 from the previous commander, Lt. Ernest Finley. The memo entitled "Narcotics Unit Goals" stressed the need to be "arrest driven." I specifically and emphatically informed all my sergeants and the entire narcotics staff that the Finley Memo was not in effect; that during my tenure as commander of the unit, we would focus on quality, targeting mid-level drug traffickers and conduct more investigations at this level. During my tenure we began concentrating on how drugs were entering the city and distribution methods to the street [See attached Staff Meeting Agenda, September 3, 2003 and Narcotics Highlights, August 10, 2004].

6.

During my tenure as commander of the Narcotics Unit, I was neither aware of nor participated in any illegal or criminal activities involving the officers under my command. I was not aware of any citizen complaints or improper search warrants being issued under my command. If I had been made aware of any illegal or criminal acts, citizen complaints or improper search warrants, I would have immediately reported the incident to the Office of Professional Standards (OPS).

7.

During my tenure as commander of the Narcotics Unit, I insisted that the officers under my command follow and adhere to all Atlanta Police Department Standard Operating Procedures and the law.

8.

During my tenure as commander of the Narcotics Unit, all Narcotics officers had performance development plans in place for measuring job performance. The goals set forth in the performance evaluation plans are fluid and subjective, never arbitrary or fixed. As I recall, I expected narcotics officers to perform within 10% to 15% of the weekly watch average. Goals for the Atlanta Police Department and within the Narcotics Enforcement Unit were set by the Chief of Police. Chief Pennington's goals were to reduce crime by five percent (5%) per year.

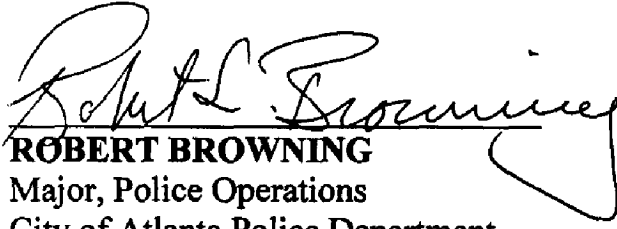
9.

During my tenure as commander of the Narcotics Unit, we met all accreditation standards for the Narcotics Unit set by CALEA.

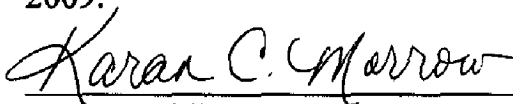
10.

Based on my experience in narcotics enforcement, it is not unusual for grandchildren to use the residences of their grandparents, with or without their permission, to sell illegal drugs.

**FURTHER AFFIANT SAYETH NOT.**

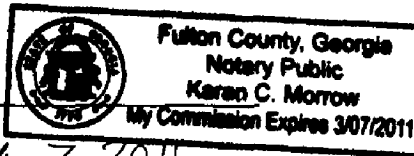
  
**ROBERT BROWNING**  
Major, Police Operations  
City of Atlanta Police Department

Sworn to and subscribed before me, this 13<sup>th</sup> day of November,  
2009.



Notary Public

My commission expires: March 7, 2011



# **ATTACHMENT**

# **1**

**Staff Meeting  
September 3, 2003**

1. Lead Sheets-On time
2. Warrant Execution—      Raid Plan  
   # of People on Raid
3. Cars
4. Street Heat
5. QPAI                      Bridges  
   Rose

**Quality- Not necessarily Quantity**

**Prepare your case for prosecution, Not just arrest!!!!**



# **ATTACHMENT**

## **2**



**City of Atlanta**  
**Atlanta Police Department**

**Internal Correspondence**

**MEMORANDUM**

**TO: Major J. E. Sellers**

**FROM: Lt. R. L. Browning**

**DATE: August 10th, 2004**

**RE: Narcotics Highlights**

As you know, in August of 2003 the Narcotics Section redirected its efforts in an attempt to combat drug trafficking in the city of Atlanta. The idea was for the section to focus on mid-level drug traffickers and conduct more investigations at this level. In addition, the section began concentrating on how the drugs were entering the city and distribution methods to the street. The following is a list of the highlights during that time.

- Significant Crime reduction in Zone 4 and Zone 1 during Narcotics enforcement details. (Beat 406 and Beat 108)
- Updated Narcotics SOP.
- Rewrote the Department Buy Fund
- Rewrote Department SOP on Informants and Guideline usage.
- Created Informant database and payment records
- Created Informant Map (detailed map of informant knowledge areas)
- Implementation of Drug Interdiction Program involving trucking companies.(Federal Express, UPS)
- Created computer database for Narcotics Evidence tracking and storage
- An increase of over 106% in dollar amount of drug seizures. (\$1,147,260 in August 2003, \$2,372,710 in August 2004)
- Created Hotel enforcement detail
- Created Concert enforcement detail
- Marijuana testing capability
- Met all accreditation standards for Narcotics Unit

In addition to these accomplishments, the cooperation between FOD and CID has been at a level that I have not experienced before. Both sections have passed information to each other which has resulted in the success of combating drug trafficking.